

February 4, 1983

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to the Legislature. As a member of that committee, I have to be....

PRESIDENT: One minute.

SENATOR CHAMBERS: ....considered guilty of what the committee did because collectively we are viewed. But at least the record will show that at the time when those were there who supported this bill I expressed before them my opposition and why. And we ought to now not just with the members of the Judiciary Committee but hold the feet of all the legislators to the fire on this bill. I hope you will reject the committee amendments, then I will tell you why I think the bill in its original form ought to be defeated, in my opinion.

PRESIDENT: The Chair recognizes Senator Beutler.

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, the activity of the Judiciary Committee was in no sense nefarious. It was in no sense deceptive. It was in no sense cowardice. It was an effort to be sensitive to those who came to the Judiciary Committee with a complaint, but at the same time to maintain the integrity of the criminal code system. Senator Hoagland says he wants to make a political statement, that he wants to make a symbolic statement, and in some instances I agree that it is good to make a symbolic statement. There are certain kinds of symbolic statements that we can and should make. But you do not make symbolic statements with the criminal law. That is the worst place in the world to make symbolic statements. Let me tell you what you are getting yourselves in for. He says special treatment for public schools, for community centers, for churches, on vandalism. Next we go to theft. Then we go to murder. If you murder a rabbi, should there be a different penalty than if somebody murders your mother? If you rob a priest, should that be a different penalty than if you yourself are robbed? Do you want to get into these questions? Are we going to have a fair criminal law system if we start distinguishing the types of institutions that have been violated? I think if you think about that a minute, you will soon see how in the last one hundred years our criminal code system has become a mess and why it became necessary in 1977 to revise the entire code to do away with all the political tinkering that had been done in the last hundred years. And the return of that process, the repeating of history is the very thing that your Judiciary Committee is trying to avoid and it is not being hidden about it at all. I was straightforward with you about what we were trying to do. But there are competing interests here. We are trying to be sensitive. We are saying in our committee amendment that for vandalism above \$1000 we are increasing the penalty,